



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bangce Ye

Serial No.: 09/912,673

Group Art Unit: Not yet assigned

Filed: July 23, 2001

Examiner: Not yet assigned

For: MEDIUM AND LOW DENSITY GENE CHIPS

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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**RESPONSE TO NOTICE OF  
INCOMPLETE NONPROVISIONAL APPLICATION**

Sir:

Responsive to the Notice of Incomplete Nonprovisional Application, mailed September 13, 2001, applicant encloses the following for filing in the above-identified application:

1. English translation of Chinese application No. 001044958 filed in the U.S. Patent and Trademark Office on July 23, 2001;
2. Two Statements of Accuracy of Translation of Application;
3. Copy of English translation of Chinese application No. 001044958 filed in the U.S. Patent and Trademark Office on July 23, 2001, formatted to meet application requirements of U.S. Patent and Trademark Office, with Sequence IDs included pursuant to the enclosed sequence listing diskette and paper copy of sequence listing;
4. Amendment and Transmittal of Sequence Listing;

5. 3-1/2" sequence listing diskette;
6. Paper copy (20 pages) of sequence listing;
7. Declaration for Patent Application executed by Bangce Ye;
8. Power of Attorney or Authorization of Agent executed by Jiangnan Biotech Ltd.;
9. Statement Under 37 C.F.R. § 3.73(b) executed by Jiangnan Biotech Ltd., with attached copy of the executed Assignment from Bangce Ye to Jiangnan Biotech Ltd.;
10. Fee Transmittal (in duplicate); and
11. Check in the amount of \$130.00 for the large entity surcharge for late filing the Declaration for Patent Application.

This application is not entitled to claim small entity status pursuant to 37 C.F.R. § 1.27.

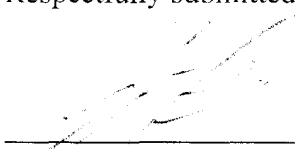
Applicant also encloses a copy of the Notice of Incomplete Nonprovisional Application, mailed September 13, 2001.

Applicant filed on October 19, 2001, a (a) Petition to Grant Filing Date for Nonprovisional Application; (b) copies of the application documents filed on July 23, 2001; (c) copy of the check submitted for the filing fee, including the fee for filing the English translation; (d) returned postcard indicating receipt by the Patent Office of the application papers and check on July 23, 2001; and (e) copy of the Notice of Incomplete Nonprovisional Application. Applicant has not yet received a decision on the Petition.

U.S.S.N: 09/912,673  
Filed: July 23, 2001  
**Response to Notice of Incomplete  
Nonprovisional Application**

No additional fees are due at this time. However, should any fee be due, please charge such additional fee, or credit any overpayment in connection with this matter, to Deposit Account No. 50-1868. A duplicate of this transmittal is enclosed to facilitate this process.

Respectfully submitted,



---

Zhaoyang Li  
Reg. No. 46,872

Date: November 13, 2001

HOLLAND & KNIGHT LLP  
Suite 2000, One Atlantic Center  
1201 West Peachtree Street, N.E.  
Atlanta, Georgia 30309-3400  
(404) 817-8531 (Telephone)  
(404) 817-8588 (Fax)

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U.S.S.N: 09/912,673  
Filed: July 23, 2001  
Response to Notice of Incomplete  
Nonprovisional Application



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PATENT & TRADEMARK OFFICE

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this RESPONSE TO NOTICE OF INCOMPLETE  
NONPROVISIONAL APPLICATION, and any paper referred to as being attached or  
enclosed, are being deposited with the United States Postal Service on the date shown below  
with sufficient postage as first-class mail in an envelope addressed to Commissioner of Patents  
and Trademarks, Washington, D.C. 20231.

A handwritten signature in cursive script that reads "Pamela Turnbough".

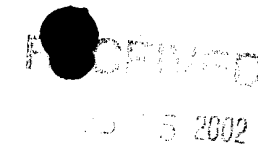
Pamela Turnbough

Date: November 13, 2001

ATL1 #493478 v1



UNITED STATES PATENT AND TRADEMARK OFFICE


 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/912,673	07/23/2001	Ye Bangce	JNB 100

CONFIRMATION NO. 6398

 23579  
 PATREA L. PABST  
 HOLLAND & KNIGHT LLP  
 SUITE 2000, ONE ATLANTIC CENTER  
 1201 WEST PEACHTREE STREET, N.E.  
 ATLANTA, GA 30309-3400

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PATENT DEPT.

## FORMALITIES LETTER



\*OC000000006548332\*

Date Mailed: 09/13/2001

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below **and a newly executed oath or declaration covering the items must** be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- **The balance due by applicant is \$ 840.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be

determined.

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

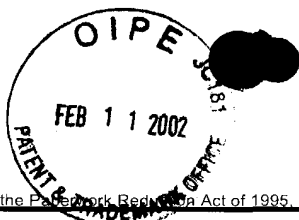
- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

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PTO/SB/17 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$130.00)

## Complete if Known

Application Number 09/912,673  
Filing Date July 23, 2001  
First Named Inventor Bangce Ye  
Examiner Name  
Group Art Unit  
Attorney Docket No. JNB 100

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-1868  
Deposit Account Name Holland & Knight LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES

Total Claims  -20 =  X  =   
Independent Claims  -3 =  X  =   
Multiple Dependent  =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

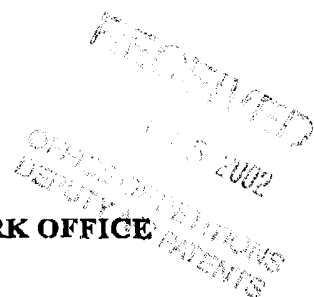
SUBTOTAL (3) (\$130.00)

## SUBMITTED BY

Name (Print/Type) Zhaoyang Li Registration No. (Attorney/Agent) 46,872 Telephone 404-817-8531  
Signature Date 11/13/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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Washington, D.C. 20231

**STATEMENT OF ACCURACY OF TRANSLATION OF APPLICATION**

Sir:

The undersigned does hereby certify that the English translation of Chinese application No. 001044958, filed in the U.S. Patent and Trademark Office on July 23, 2001, is an accurate, true, and correct translation of that application.

Signature: Ye Bangce  
Printed Name: Ye Bangce  
Company: Jiangnan Biotech Ltd  
Date: Nov 12, 2001



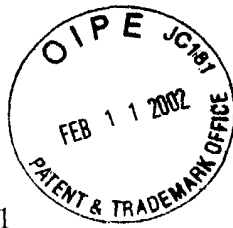
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Signature: 

Printed Name: Zhaoyang Li

Company: Holland & Knight LLP

Date: November 13, 2001